

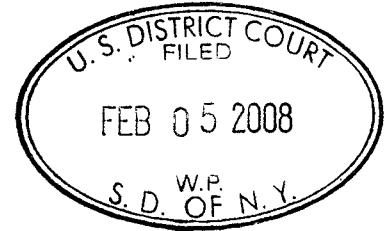
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

-----x
REUBEN AVENT, (01-A-5796) :
:
Petitioner, :
:
-against- :
:
DAVID NAPOLI, Superintendent, :
Southport Correctional Facility, :
:
Respondent. :
-----x

No. 008 Civ. 0932 (KMK) (MDF)

ORDER



MARK D. FOX, United States Magistrate Judge:

Upon the petition for issuance of a writ of habeas corpus pursuant to 28 U.S.C. § 2254, dated January 28, 2008 and filed, it is hereby ORDERED that:

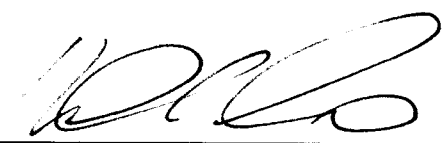
1. Within ninety (90) days of the date of this order, respondent shall serve a copy of the answer to the petition on the petitioner herein and file the original thereof with proof of service with the Clerk of this Court in White Plains, New York;

2. Respondent shall also submit the transcript of the trial and copies of all briefs and decisions on appeal or in connection with proceedings pursuant to New York Criminal Procedure Law Article 440 or any other post trial motions;

3. Petitioner, within sixty (60) days after the filing of the answer, shall serve upon respondent's attorney and file his reply to the answer, with the Clerk of this Court in White Plains, New York; and

4. Service of a copy of this Order shall be made by the Clerk of this Court by regular mail to: (1) Petitioner, Reuben Avent, (01A 5796), Southport Correctional Facility, PO Box 2000, Pine City, New York 14871; (2) David Napoli or his successor at Southport Correctional Facility, 236 Bob Masia Drive, Pine City, New York 14871; and (3) to the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and by certified mail, together with a copy of the petition, to the District Attorney of Rockland County, 1 South Main St., New City, New York 10956.

Dated: January 05, 2008
White Plains, New York



MARK D. FOX
United States Magistrate Judge